

Ser. No. 09/720,309
Amdt. dated August 27, 2003
Reply to Office action of March 28, 2003

REMARKS/ARGUMENTS

This is in response to the official action of March 28, 2003. Claims 1 and 22 have been amended. Claims 45 and 46 are new.

Claim 1 has been amended to include recitation of the stem, the cylindrical portion and the tapering portion. Where claims 17-21, 23-26 and 31 depend directly or indirectly from claim 1, antecedent basis for the terms recited in those claims is present.

Reconsideration is requested of the rejection of claims 1-8, 16-29 and 31-33 as anticipated by Taylor patent 3,675,658. Taylor discloses a catheter with a manually squeezable elastomeric plug 42 having a slit 44 that may be open by squeezing release of the squeezing pressure that appears to enable the resilient slit valve to close. Taylor does not disclose the claimed arrangement of a plug having coaxial stem and annular parts as defined in claim 1 and in those claims that depend, directly or indirectly from claim 1. Reconsideration is requested of the rejection of claims 1-8, 16-29 and 31-33 as anticipated by Taylor '658.

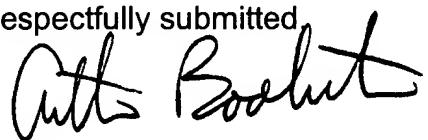
Reconsideration also is requested of the rejection of claims 1, 6, 7 and 8 as anticipated by Rosencrans patent 3,275,001. Rosencrans discloses an arrangement that includes a simple disk valve 27 that serves to plug the catheter tube 17 until the disk valve is manually displaced, as by simply rubbing the outer surface of the catheter. That causes the disk to assume a horizontal or parallel position enabling liquid flow. FIG. 5 of Rosencrans discloses an alternative arrangement in which a latex plug 32 is bonded within the tubing wall 17 by a latex binder or adhesive that will break or give way when the tube 17 is stretched. Rosencrans does not disclose or suggest the claimed arrangement in which the plug includes a coaxial stem and an annular part as defined in amended claim 1 and dependent claims 6-8.

Reconsideration is requested of the rejection of claims 1-8, 16-29, 31-33, 35-38 and 41-43 as defining subject matter that would have been obvious to one of ordinary skill in the art in view of the combined disclosures of Taylor and Ericson patent 3,602,226. Ericson fails to disclose those features of claim 1 relating to the

Ser. No. 09/720,309
Amdt. dated August 27, 2003
Reply to Office action of March 28, 2003

arrangement of the plug having a coaxial stem and an annular part. Each of the claims rejected under 35 U.S.C. §103(a) includes those limitations. Where neither Taylor nor Ericson discloses a plug that comprises a coaxial stem and an annular part, as defined in claim 1, their combination cannot be considered to make such suggestion.

Respectfully submitted,



Arthur Z. Bookstein
Reg. No. 22,958
KIRKPATRICK & LOCKHART LLP
75 State Street
Boston, Massachusetts 02109-1808
Customer No.: 022832
Tel: 617-261-3100
Attorneys for Applicants

Attorney Docket No.: A0008/7004
Date: August 27, 2003